

Program D: Risk Litigation

Program Authorization: R.S. 39:1527-1544

PROGRAM DESCRIPTION

The mission of the Risk Litigation Program in the Office of Risk Management is to fund payment of the Division of Risk Litigation in the Department of Justice for the costs incurred for the professional legal defense of claims made against the state.

The goal of the Risk Litigation Program in the Office of Risk Management is to sufficiently fund reimbursement of Division of Risk Litigation in the Department of Justice costs associated with defense of claims against the state.

OBJECTIVES AND PERFORMANCE INDICATORS

Unless otherwise indicated, all objectives are to be accomplished during or by the end of FY 2001-2002. Performance indicators are made up of two parts: name and value. The indicator name describes what is being measured. The indicator value is the numeric value or level achieved within a given measurement period. For budgeting purposes, performance indicator values are shown for the prior fiscal year, the current fiscal year, and alternative funding scenarios (continuation budget level and Executive Budget recommendation level) for the ensuing fiscal year (the fiscal year of the budget document).

1. (KEY) To enter 100% of the cost allocations for the Department of Justice's Division of Risk Litigation (DRL) costs to each claim represented by the DRL within 45 days of receipt of DRL report.

Strategic Link: This operational objective is related to the Division of Administration's Strategic Goal 8: *The Office of Risk Management will provide a comprehensive loss prevention program that will minimize losses and protect the assets of the state.*

Louisiana: Vision 2020 Link: Not applicable

Children's Cabinet Link: Not applicable

Other Link(s): Not applicable

L E V E L	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1999-2000	ACTUAL YEAREND PERFORMANCE FY 1999-2000	ACT 2 PERFORMANCE STANDARD FY 2000-2001	EXISTING PERFORMANCE STANDARD FY 2000-2001	AT CONTINUATION BUDGET LEVEL FY 2001-2002	AT RECOMMENDED BUDGET LEVEL FY 2001-2002
K	Percentage of cost entered on claims within 45 days of receipt	Not applicable ¹	100%	100%	100%	100%	100%

¹ This was a new performance indicator for FY 2000-2001. It did not appear under Act 60 and does not have a FY 1999-2000 performance standard.

Reference:

Department of Justice, Risk Litigation Division determines which cases it will handle and which cases should be assigned to outside attorneys. The Office of Risk Management has minimal control over the percentage of cases handled by outside attorneys. The Office of Risk Management has no performance associated with this program other than concurrence on the appointment of attorney, payment to pay the Department of Justice 1/12th of the budgeted amount each month, and posting of legal cost to individual claims as allocated. Please refer to 04-141 Office of the Attorney General, Program B: Risk Litigation, GPI -Trend 1 and GPI - Trend 2 to view the 10 year history of all cases in litigation, number of cases assigned to outside attorneys and percentage of cases assigned to outside and in-house attorneys.

RESOURCE ALLOCATION FOR THE PROGRAM

	ACTUAL 1999 - 2000	ACT 2 2000 - 2001	EXISTING 2000 - 2001	CONTINUATION 2001 - 2002	RECOMMENDED 2001 - 2002	RECOMMENDED OVER/(UNDER) EXISTING
MEANS OF FINANCING:						
STATE GENERAL FUND (Direct)	\$0	\$0	\$0	\$0	\$0	\$0
STATE GENERAL FUND BY:						
Interagency Transfers	0	0	0	0	0	0
Fees & Self-gen. Revenues	10,107,946	10,721,492	10,721,492	10,721,492	10,721,492	0
Statutory Dedications	0	0	0	0	0	0
Interim Emergency Board	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
TOTAL MEANS OF FINANCING	\$10,107,946	\$10,721,492	\$10,721,492	\$10,721,492	\$10,721,492	\$0
EXPENDITURES & REQUEST:						
Salaries	\$0	\$0	\$0	\$0	\$0	\$0
Other Compensation	0	0	0	0	0	0
Related Benefits	0	0	0	0	0	0
Total Operating Expenses	0	0	0	0	0	0
Professional Services	0	0	0	0	0	0
Total Other Charges	10,107,946	10,721,492	10,721,492	10,721,492	10,721,492	0
Total Acq. & Major Repairs	0	0	0	0	0	0
TOTAL EXPENDITURES AND REQUEST	\$10,107,946	\$10,721,492	\$10,721,492	\$10,721,492	\$10,721,492	\$0
AUTHORIZED FULL-TIME						
EQUIVALENTS: Classified	0	0	0	0	0	0
Unclassified	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

SOURCE OF FUNDING

The Risk Litigation program is funded with Fees and Self-generated Revenues. Fees and Self-generated Revenues are derived from premiums billed for insurance provided by this Office and from interest earnings from the self-insurance fund. State and quasi-state entities obtain insurance through the Office of Risk Management.

ANALYSIS OF RECOMMENDATION

GENERAL FUND	TOTAL	T.O.	DESCRIPTION
\$0	\$10,721,492	0	ACT 2 FISCAL YEAR 2000-2001
			BA-7 TRANSACTIONS:
\$0	\$0	0	
\$0	\$10,721,492	0	EXISTING OPERATING BUDGET – December 15, 2000
\$0	\$0	0	None
\$0	\$10,721,492	0	TOTAL RECOMMENDED
\$0	\$0	0	LESS GOVERNOR'S SUPPLEMENTARY RECOMMENDATIONS
\$0	\$10,721,492	0	BASE EXECUTIVE BUDGET FISCAL YEAR 2001-2002
			SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE:
\$0	\$0	0	None
\$0	\$0	0	TOTAL SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE
\$0	\$10,721,492	0	GRAND TOTAL RECOMMENDED

The total means of financing for this program is recommended at 100% of the existing operating budget. It represents 100% of the total request (\$10,721,492) for this program.

PROFESSIONAL SERVICES

This program does not have funding for Professional Services for Fiscal Year 2001-2002.

OTHER CHARGES

\$10,721,492 Legal Services for expenses related to the use of the Division of Risk Litigation, Department of Justice, attorneys for the defense of tort actions against the State

\$10,721,492 SUB-TOTAL OTHER CHARGES

Interagency Transfers:

This program does not have funding for Interagency Transfers for Fiscal Year 2001-2002.

\$10,721,492 TOTAL OTHER CHARGES

ACQUISITIONS AND MAJOR REPAIRS

This program does not have funding for Acquisitions and Major Repairs for Fiscal Year 2001-2002.